

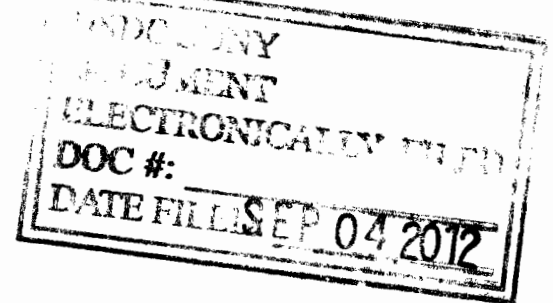
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August 31, 2012

The Honorable George B. Daniels
Daniel Patrick Moynihan United States Courthouse
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Barnes & Noble, Inc. v. Alcatel-Lucent USA Inc.*, Case No. 10-05759-GBD

Dear Judge Daniels:

We represent Defendant Alcatel-Lucent USA Inc. ("Alcatel-Lucent") in the above-referenced action, and write on behalf of the parties regarding the briefing schedule for Plaintiffs Barnes & Noble, Inc.'s and barnesandnoble.com l.l.c.'s (collectively, "Barnes & Noble") motion for partial summary judgment, Dkt. 71, filed on August 28, 2012. Pursuant to the Case Management Plan and Scheduling Order, Dkt. 20, Alcatel-Lucent's opposition would be due on September 25, and Barnes & Noble's reply would be due on October 9.

Subject to the approval of this Court, the parties have agreed to extend that briefing schedule to accommodate the schedules of the parties. Pursuant to that agreement, Alcatel-Lucent's opposition to the motion would be due on or before October 9, 2012, and Barnes & Noble's reply papers would be due three weeks after service of the opposition papers, and thus on or before October 30, 2012.

The parties have not previously requested an extension of the schedule regarding the briefing of the pending motion, and respectfully request that the Court consent to and approve such schedule.

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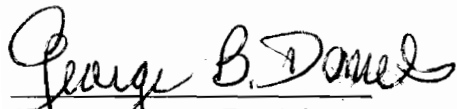
Respectfully submitted,

A handwritten signature in black ink, appearing to be "Oren D. Langer", enclosed within a hand-drawn oval.

Oren D. Langer

cc: Counsel of Record (by e-mail)

So Ordered:

A handwritten signature in black ink, appearing to be "George B. Daniels", written in a cursive style.

Hon. George B. Daniels
U.S. District Judge

SEP 3 2012